

# **EXHIBIT 5**

**Legal Notice**

## **You May Be a Member of a Class Action Settlement Which Could Affect Your Rights.**

### **What Is This Notice?**

A Settlement Agreement has been reached in a class action lawsuit which alleges that AT&T Mobility LLC ("AT&T Mobility") used an automatic telephone dialing system and/or an artificial prerecorded voice message to make calls to cellular telephones without the prior express consent of the owners of those numbers. The lawsuit, *Joel Hageman v. AT&T Mobility LLC*, is pending in the United States District Court for the District of Montana. AT&T Mobility strongly denies the allegations, but has agreed to settle to avoid the burden and cost of further litigation. This is only a summary: You should use the contact information below to get detailed information in order to make a decision about your legal rights.

### **Who Is Included?**

You may be a Settlement Class Member if you received one or more autodialed or prerecorded voice calls on your cellular telephone made by AT&T Mobility, or by a collection agency acting on behalf of AT&T Mobility, if those calls were made without your consent and if you did not receive cellular telephone service from AT&T Mobility at the time of the call.

### **What Does The Settlement Provide?**

If AT&T Mobility's records show that (1) your cellular telephone number was listed as a contact number on two or more AT&T Mobility accounts that are not related by name, address, or other personal identifying information and (2) AT&T Mobility or a collection agency acting on AT&T Mobility's behalf made collection call(s) using an automated dialing system or a prerecorded voice to your cellular telephone number, then you may be eligible to receive a payment for each call made without your consent.

A settlement fund of \$45,000,000 has been established to pay valid claims, attorney's fees, costs, expenses and settlement administration costs. If you meet the conditions described above, you may be eligible to receive a share of that settlement fund. The final cash payment amount per call will depend on the total number of valid and timely claims filed by all Class Members.

### **Who Represents Me?**

The Court has appointed attorneys to represent the Class. Those attorneys are the law firms of Bishop and Heenan, 1631 Zimmerman Trail, Billings, MT 59102, Keogh Law, Ltd., 55 W. Monroe St., Ste. 3390, Chicago, IL 60603 and Bingham and Lea, P.C, 319 Maverick St., San Antonio, TX 78212. You will not be charged for their work.

Class Counsel will request an award for attorney's fees and expenses from the Court of up to one-third of the settlement fund. You may hire your own attorney, but only at your own expense.

### **What Are My Legal Rights?**

- To receive payment, you must submit a Claim Form. Claim Forms must be submitted electronically or postmarked by XXXX, XXXX. You may obtain a Claim Form by visiting [www.\[INSERT\].com](http://www.[INSERT].com).
- If you choose to exclude yourself from the Settlement and keep your right to sue or arbitrate against AT&T Mobility, you must send a written request for exclusion postmarked by [[deadline]], to [[claims administrator address]].
- If you do not exclude yourself, you have or your lawyer has the right to appear before the Court and object to the Settlement or to Class Counsel's request for an award of one-third of the settlement fund in attorney's fees and costs (the "Attorney's Fees Request"). Any objections to the Settlement or the Attorney's Fees Request, along with any supporting material, must be postmarked by XXXX and filed with the Court by that date. Untimely objections and material not filed will not be considered.
- If you do not exclude yourself, you will be bound by the terms of the Settlement and give up your rights to sue AT&T Mobility or to pursue arbitration against AT&T Mobility for any claim relating to the call(s).

### **When Will The Court Consider The Proposed Settlement?**

The Court will determine whether to approve the Settlement at a Fairness Hearing scheduled to take place on [[date, time]] at the United States District Court for the District of Montana, 2601 2nd Avenue North, Billings, Montana 59101. The Court will consider any timely filed objections at that time. If you file a timely objection, you may appear at the hearing to explain your objection, but you are not required to attend. If the hearing is relocated or rescheduled, the new location or date will be posted on the Settlement Website.

**FOR MORE INFORMATION PLEASE VISIT THE SETTLEMENT WEBSITE  
at [http://www.\[INSERT\].com](http://www.[INSERT].com)**